



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

WAD 2302

7-14-98

5A

Reply To
Attn Of: WCM-126

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Edwin Liu, Remediation Engineer
Specialty Chemicals Division
Rhodia
CN7500
Cranbury, NJ 08512

Re: Rhone-Poulenc, Inc. Administrative Order on Consent for
Corrective Action ("Order") Docket No. 1091-11-20-3008(h) --
Demand for Stipulated Penalties

Dear Mr. Liu:

As the U.S. Environmental Protection Agency, Region 10, ("EPA") has expressly stated in meetings with Rhone-Poulenc, Inc., and in EPA's letter to Rhone-Poulenc dated November 14, 1997, EPA construes Rhone-Poulenc's failure to comply with the requirements set forth in EPA's August 8, 1997, letter as violation of the Order. Thus, in accordance with Section XV. of the Order, EPA hereby demands stipulated penalties in the total amount of \$321,500.00

This demand for stipulated penalties is limited to the failure to submit a draft work plan for Additional Work. Specifically, EPA's August 8, 1997, letter required Rhone-Poulenc to submit a draft work plan for Additional Work in accordance with Paragraph 7.12 of the Order. The work plan was due within sixty (60) days of receipt of EPA's August 8, 1997, letter, by October 12, 1997. The work plan for Additional Work, entitled "Groundwater Monitoring Plan, RPI Marginal Way Facility" was received by EPA on February 9, 1998. One hundred and twenty (120) days elapsed beyond the time by which the draft work plan for Additional Work was due to EPA. Thus, in accordance with Section XV., Paragraph 15.1(B), \$321,500.00 is due to EPA for failure to submit the draft work plan for Additional Work at the time required.

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RESPONDENT
7/14/98

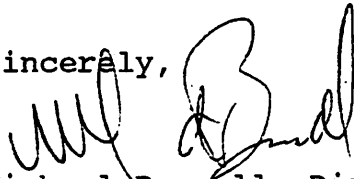
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In accordance with Section XV., Paragraph 15.5, payment of the stipulated penalties due must be made by certified or cashier's check to the Treasurer of the United States of America and remitted to:

U.S. Environmental Protection Agency
(Region 10 Hearing Clerk)
P.O. Box 360903M
Pittsburgh, Pennsylvania 15251

The check for the stipulated penalties must reference the Rhone-Poulenc, Inc. Marginal Way Facility, Rhone-Poulenc, Inc.'s name and address, and the U.S. EPA docket number of this action (1091-11-20-3008(h)). A copy of the check and letter transmitting the check must be sent simultaneously to the EPA Project Coordinator and the Regional Hearing Clerk. Please do not use the mail code in the Order. The Project Coordinator's mail code is WCM-126, and the Regional Hearing Clerk's mail code is ORC-158. If you have any questions regarding this matter, please call Elizabeth McKenna at (206) 553-0016 or Kimberly Ogle at (206) 553-0955.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Bussell", is written over the word "Sincerely,".

Michael Bussell, Director
Office of Waste and Chemicals Management

cc: Charles R. Blumenfeld
Hideo Fujita, WDOE NWRO
Julie Sellick, WDOE NWRO
Bjung Maeng, WDOE NWRO

bcc: Jennifer MacDonald

CONCURRENCES					POLICY FILE	
Initials:	<i>KAO</i>	<i>Emc</i> <i>Current</i>	<i>Cal</i>	<i>SBW/Comments</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Name:	Kim Ogle	Jennifer MacDonald	<i>Charlie Brown</i>	<i>Andrea Bunge</i>	If policy file please bcc to RMSPU Manager	
Date:	<i>7-9-96</i>	<i>7/8/98</i>	<i>6/3/98</i>	<i>6/3</i>		
RCRIS EVENT		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			
SNC IDENTIFICATION		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
(Can it be entered in RCRIS?)		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
REGION 9 POLICY FILE		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

Concurrence

Jamie Sikor
SKI

[Signature]